

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare:

That my residence, post office address and citizenship are as stated below next to my name.

That I verily believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: EXOGENOUS NUCLEIC ACID DETECTION the specification of which (check one)

☐ is attached hereto.

☒ was filed on September 27, 1999 as Application, Serial No. 09/406,147.

That I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

That I acknowledge the duty to disclose information known to be material to patentability of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

That I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

PCT/US99/05304      PCT      11 March 1999  
(Number)      (Country)      (Day/Month/Year Filed)

☐ ☒  
Yes No

\_\_\_\_\_  
(Number)      (Country)      (Day/Month/Year Filed)

☐ ☐  
Yes No

That I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

United States Application(s)

09/042,287      March 13, 1998      pending  
(Application Serial No.)      (Filing Date)      (Status)-(Patented, pending, abandoned)

09/252,436      February 18, 1999      pending  
(Application Serial No.)      (Filing Date)      (Status)-(Patented, pending, abandoned)

09/358,972      July 21, 1999      pending  
(Application Serial No.)      (Filing Date)      (Status)-(Patented, pending, abandoned)

1033 U.S. PTO  
09/780863  
02/09/01

PRO-105.0  
(6868/75530)

That all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint the following attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to WELSH & KATZ, LTD., 120 South Riverside Plaza, 22nd Floor, Chicago, Illinois 60606-3913, Telephone No.: (312) 655-1500:

<u>Attorney</u>	<u>Registration No.</u>
A. Sidney Katz	24,003
Richard L. Wood	22,839
Jerold B. Schnayer	28,903
Eric C. Cohen	27,429
Joseph R. Marcus	25,060
Gerald S. Schur	22,053
Gerald T. Shekleton	27,466
James A. Scheer	29,434
Daniel R. Cherry	29,054
Kathleen A. Rheintgen	34,044
Edward P. Gamson	29,381
Thomas W. Tolpin	26,700
Shannon L. Nebolsky	41,217
Mitchell J. Weinstein	37,963
Charles R. Krikorian	40,687

Full name of sole or one  
joint inventor:

John William Shultz

Inventor's signature:

Date:

Residence and Post Office Address:

407 Melody Lane

Verona, Wisconsin 53593

Citizenship:

United States of America

PRO-105.0  
(6868/75530)

Full name of additional joint  
inventor, if any:

Martin K. Lewis

Inventor's signature:

Date:

Residence and Post Office Address:

5210 Forge Drive

Madison, Wisconsin 53716

Citizenship:

United States of America

Full name of additional joint  
inventor, if any:

Donna Leippe

Inventor's signature:

Date:

Residence and Post Office Address:

1110 Pleasant View Road Apt. #103

Middleton, Wisconsin 53562

Citizenship:

United States of America

Full name of additional joint  
inventor, if any:

Michelle Mandrekar

Inventor's signature:

Date:

Residence and Post Office Address:

525 Ash Street

Oregon, Wisconsin 53575

Citizenship:

United States of America

PRO-105.0  
(6868/75530)

Full name of additional joint  
inventor, if any:

Daniel Kephart

Inventor's signature:

Date:

Residence and Post Office Address:

112 Vista Drive

Cottage Grove, Wisconsin 53527

Citizenship:

United States of America

Full name of additional joint  
inventor, if any:

Richard Byron Rhodes

Inventor's signature:

Date:

Residence and Post Office Address:

444 West Wilson Street #207

Madison, Wisconsin 53703

Citizenship:

United States of America

Full name of additional joint  
inventor, if any:

Christine Ann Andrews

Inventor's signature:

Date:

Residence and Post Office Address:

800 Whispering Way

Cottage Grove, Wisconsin 53527

Citizenship:

United States of America

PRO-105.0  
(6868/75530)

Full name of additional joint  
inventor, if any:

James Robert Hartnett

Inventor's signature:

Date:

Residence and Post Office Address:

2590 Chesapeake Drive

Madison, Wisconsin 53719

Citizenship:

United States of America

Full name of additional joint  
inventor, if any:

Trent Gu

Inventor's signature:

Date:

Residence and Post Office Address:

1329 North Wingra Drive

Madison, Wisconsin 53715

Citizenship:

United States of America

Full name of additional joint  
inventor, if any:

Ryan J. Olson

Inventor's signature:

Date:

Residence and Post Office Address:

8551 Greenway Blvd. #310

Middleton, Wisconsin 53562

Citizenship:

United States of America

PRO-105.0  
(6868/75530)

Full name of additional joint  
inventor, if any:

Keith V. Wood

Inventor's signature:

Date:

Residence and Post Office Address:

902 Kottke Drive #5

Madison, Wisconsin 53711-5399

Citizenship:

United States of America

Full name of additional joint  
inventor, if any:

Roy Welch

Inventor's signature:



Date:

12-17-99

Residence and Post Office Address:

3868 Magnolia Drive

Palo Alto, California 94306

Citizenship:

United States of America

Address for Correspondence:

**WELSH & KATZ, LTD.**  
120 South Riverside Plaza  
22nd Floor  
Chicago, Illinois 60606-3913

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☐ is attached hereto.

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☐ ☐  
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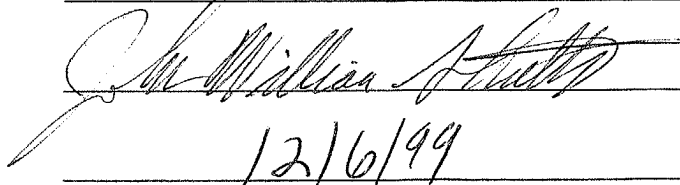
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Mitchell J. Weinstein	37,963
Charles R. Krikorian	40,687

Full name of sole or one  
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John William Shultz

Inventor's signature:



Date:

12/6/99

Residence and Post Office Address:

407 Melody Lane

Verona, Wisconsin 53593

Citizenship:

United States of America



PRO-105.0  
(6868/75530)

Full name of additional joint  
inventor, if any:

M. K. Lewis

Inventor's signature:

12/6/99

Date:

Residence and Post Office Address:

5210 Forge Drive

Madison, Wisconsin 53716

Citizenship:

United States of America

Full name of additional joint  
inventor, if any:

Donna Leippe

Inventor's signature:

Donna Leippe

Date:

12/6/99

Residence and Post Office Address:

1110 Pleasant View Road Apt. #103

Middleton, Wisconsin 53562

Citizenship:

United States of America

Full name of additional joint  
inventor, if any:

Michelle Mandrekar

Inventor's signature:

Michelle Mandrekar

Date:

12/6/99

Residence and Post Office Address:

525 Ash Street

Oregon, Wisconsin 53575

Citizenship:

United States of America

PRO-105.0  
(6868/75530)

Full name of additional joint  
inventor, if any:

Daniel Kephart

Inventor's signature:

*Dan Kephart*  
12/6/99

Date:

Residence and Post Office Address:

112 Vista Drive

Cottage Grove, Wisconsin 53527

Citizenship:

United States of America

Full name of additional joint  
inventor, if any:

Richard Byron Rhodes

Inventor's signature:

*Richard Byron Rhodes*  
12/6/99

Date:

Residence and Post Office Address:

444 West Wilson Street #207

Madison, Wisconsin 53703

Citizenship:

United States of America

Full name of additional joint  
inventor, if any:

Christine Ann Andrews

Inventor's signature:

*Christine W Andrews*  
12/6/99

Date:

Residence and Post Office Address:

800 Whispering Way

Cottage Grove, Wisconsin 53527

Citizenship:

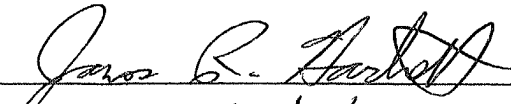
United States of America

PRO-105.0  
(6868/75530)

Full name of additional joint  
inventor, if any:

James Robert Hartnett

Inventor's signature:

  
12/6/99

Date:

Residence and Post Office Address:

2590 Chesapeake Drive

Madison, Wisconsin 53719

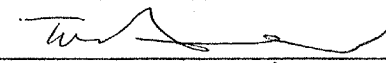
Citizenship:

United States of America

Full name of additional joint  
inventor, if any:

Trent Gu

Inventor's signature:

  
12/6/99

Date:

Residence and Post Office Address:

1329 North Wingra Drive

Madison, Wisconsin 53715

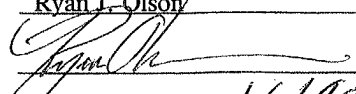
Citizenship:

United States of America

Full name of additional joint  
inventor, if any:

Ryan L. Olson

Inventor's signature:

  
12/6/99

Date:

Residence and Post Office Address:

8551 Greenway Blvd. #310

Middleton, Wisconsin 53562

Citizenship:

United States of America

PRO-105.0  
(6868/75530)

Full name of additional joint  
inventor, if any:

Keith V. Wood

Inventor's signature:

*[Handwritten signature]*  
12/6/99

Date:

Residence and Post Office Address:

902 Kottke Drive #5

Madison, Wisconsin 53711-5399

Citizenship:

United States of America

Full name of additional joint  
inventor, if any:

Roy Welch

Inventor's signature:

Date:

Residence and Post Office Address:

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Palo Alto, California 94306

Citizenship:

United States of America

Address for Correspondence:

**WELSH & KATZ, LTD.**  
120 South Riverside Plaza  
22nd Floor  
Chicago, Illinois 60606-3913



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

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APRIL 06, 2000

PTAS

WELSH & KATZ, LTD.  
SHANNON NEBOLSKY, ESQ.  
120 SOUTH RIVERSIDE PLAZA, 22ND FLOOR  
CHICAGO, IL 60606



\*101253842A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

RECEIVED DOCKETING
APR 13 2000
By: <i>[Signature]</i>
Due Date: <i>[Signature]</i>

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

1033 U.S. PTO  
09/780863  
02/09/01

RECORDATION DATE: 01/03/2000

REEL/FRAME: 010504/0414  
NUMBER OF PAGES: 9

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
SHULTZ, JOHN W.

ASSIGNOR:  
MARTIN, K. LEWIS

ASSIGNOR:  
LEIPPE, DONNA

ASSIGNOR:  
MANDREKAR, MICHELLE

ASSIGNOR:  
KEPHART, DANIEL

ASSIGNOR:  
RHODES, RICHARD B.

ASSIGNOR:  
ANDREWS, CHRISTINE A.

DOC DATE: 12/06/1999

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DOC DATE: 12/06/1999

DOC DATE: 12/06/1999

DOC DATE: 12/06/1999

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APR 13 2000

010304/0414 PAGE 2

ASSIGNOR:  
HARTNETT, JAMES R.

DOC DATE: 12/06/1999

ASSIGNOR:  
GU, TRENT

DOC DATE: 12/06/1999

ASSIGNOR:  
OLSON, RYAN J.

DOC DATE: 12/06/1999

ASSIGNOR:  
WOOD, KEITH

DOC DATE: 12/06/1999

ASSIGNOR:  
WELCH, ROY

DOC DATE: 12/17/1999

ASSIGNEE:  
PROMEGA CORPORATION  
2800 WOODS HOLLOW ROAD  
MADISON, WISCONSIN 53711

SERIAL NUMBER: 09406147  
PATENT NUMBER:

FILING DATE: 09/27/1999  
ISSUE DATE:

MAYA BENNETT, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

01-31-2000



To the Honorable Commissioner of Patents and

101253842

inal documents or copy thereof.

1. Name of conveying party(ies):  
Shultz, John W.; Martin, K. Lewis; Leippe, Donna; Mandrekar,  
Michelle; Kephart, Daniel; Rhodes, Richard B; Andrews, Christine  
A.; Hartnett, James R.; Gu, Trent; Olson, Ryan J.; Wood, Keith  
and Welch, Roy  
Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and Address of receiving party(ies)  
Name: Promega Corporation  
Internal Address: \_\_\_\_\_

Street Address: 2800 Woods Hollow Road  
City: Madison State: Wisconsin ZIP: 53711  
Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:  
☒ Assignments ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: December 6, 1999 & December 17, 1999

4. Application number(s) or patent number(s): 09/406,147

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence  
concerning document should be mailed:

Name: Shannon Nebolsky, Esq.  
Internal Address: Welsh & Katz, Ltd.

Street Address: 120 South Riverside Plaza, 22nd Floor

City: Chicago State: Illinois ZIP: 60606

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) ..... \$40.00

☒ Enclosed

☐ Authorized to be charged to deposit account ☐

8. Deposit account number: 23-0920

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy  
of the original document.

Shannon Nebolsky, Esq.  
Name of Person Signing

Shannon Nebolsky  
Signature

December 28, 1999  
Date

Total number of pages including cover sheet, attachments, and document:

9

01/28/2000 DNGUYEN 00000215 09406147

01 FC:581

40.00 OP

Mail documents to be recorded with required cover sheet information  
Commissioner of Patents and Trademarks, Box Assignments  
Washington, D.C. 20231

PRO-105.0  
(6868/75530)

## Assignment

Serial No. 09/406,147

Filed September 27, 1999

### WHEREAS:

John W. Shultz, residing at 407 Melody Lane, Verona, Wisconsin 53593, Martin K. Lewis, residing at 5210 Forge Drive, Madison, Wisconsin 53716, Donna Leippe, residing at 1110 Pleasant View Road, Middleton, Wisconsin 53562, Michelle Mandrekar, residing at 525 Ash Street, Oregon, Wisconsin 53575, Daniel Kephart, residing at 112 Vista Drive, Cottage Grove, Wisconsin 53527, Richard B. Rhodes, residing at 444 West Wilson Street #207, Madison, Wisconsin 53703, Christine A. Andrews, residing at 800 Whispering Way, Cottage Grove, Wisconsin 53527, James R. Hartnett, residing at 2590 Chesapeake Drive, Madison, Wisconsin 53719, Trent Gu, residing at 1329 N. Wingra Drive, Madison, Wisconsin 53715, Ryan J. Olson, residing at 8551 Greenway Blvd., #310, Middleton, Wisconsin 53562, Keith Wood, residing at 902 Kottke Drive #5, Madison, Wisconsin 53711-5399, and Roy Welch, residing at 3868 Magnolia Drive, Palo Alto, California 94306, all United States citizens (hereinafter referred to as ASSIGNORS), have invented and own a certain invention entitled:

### EXOGENOUS NUCLEIC ACID DETECTION

for which application for Letters Patent of the United States has been executed herewith, and

### WHEREAS:

Promega Corporation, having a place of business at 2800 Woods Hollow Road, Madison, WI 53711 (hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and the United States Letters Patent to be obtained therefor:

### NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

Be it known that in consideration of the payment by ASSIGNEE TO ASSIGNORS of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration, ASSIGNORS hereby sell, assign and



transfer to ASSIGNEE the full and exclusive right, title and interest to said invention and all Letters Patent of the United States to be obtained therefor on said application or any continuation, division, renewal, substitute or reissue thereof and in and to all Letters Patent and all Convention and Treaty rights of all kinds, in all countries throughout the world for said invention for the full term or terms for which the same may be granted.


ASSIGNORS covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain and enforce said rights, said application, said invention and said Letters Patent which may be necessary or desirable to carry out the purposes hereof.

IN WITNESS WHEREOF, we have hereunto set our hand and seal this 6th day of December, 1999.


Date 12-6-99

  
John W. Shultz


Date 12-6-99

  
Martin K. Lewis


Date 12-6-99

  
Donna Leippe

Date 12-6-99

  
Michelle Mandrekar

Date 12-6-99

  
Daniel Kephart

Date 12-6-99

Richard B. Rhodes  
Richard B. Rhodes

Date 12-6-99

Christine A. Andrews  
Christine A. Andrews

Date 12-6-99

James R. Hartnett  
James R. Hartnett

Date 12-6-99

Trent Gu  
Trent Gu

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Ryan J. Olson

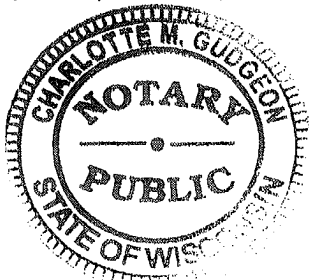
Date 12-6-99

Keith Wood  
Keith Wood

STATE OF WISCONSIN     )  
                                      )  
COUNTY OF                    )

I hereby certify that John W. Shultz, Martin K. Lewis, Donna Leippe, Michelle Mandrekar, Daniel Kephart, Richard B. Rhodes, Christine A. Andrews, James R. Hartnett, Trent Gu, Ryan J. Olson, and Keith Wood, before me personally appeared and acknowledged that the foregoing assignment was duly signed, sealed and delivered by them as their free and voluntary act on this 6th day of December, 1999.

(SEAL)



Charlotte M. Gudgeon  
Notary Public  
My Commission expires 11-18-2001

PRO-105.0  
(6868/75530)

IN WITNESS WHEREOF, I have hereunto set my hand and seal  
this \_\_\_\_th day of December, 1999.

Date \_\_\_\_\_  
Roy Welch

STATE OF CALIFORNIA    )  
                                  )  
COUNTY OF                    )

I hereby certify that Roy Welch before me personally  
appeared and acknowledged that the foregoing assignment was  
duly signed, sealed and delivered by him as his free and  
voluntary act on this \_\_\_\_th day of December, 1999.

(SEAL)

\_\_\_\_\_  
Notary Public  
My Commission expires \_\_\_\_\_

## Assignment

Serial No. 09/406,147

Filed September 27, 1999

WHEREAS:

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NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

Be it known that in consideration of the payment by ASSIGNEE TO ASSIGNORS of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration, ASSIGNORS hereby sell, assign and

transfer to ASSIGNEE the full and exclusive right, title and interest to said invention and all Letters Patent of the United States to be obtained therefor on said application or any continuation, division, renewal, substitute or reissue thereof and in and to all Letters Patent and all Convention and Treaty rights of all kinds, in all countries throughout the world for said invention for the full term or terms for which the same may be granted.

ASSIGNORS covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain and enforce said rights, said application, said invention and said Letters Patent which may be necessary or desirable to carry out the purposes hereof.

IN WITNESS WHEREOF, we have hereunto set our hand and seal this 6th day of December, 1999.

Date \_\_\_\_\_

\_\_\_\_\_  
John W. Shultz

Date \_\_\_\_\_

\_\_\_\_\_  
Martin K. Lewis

Date \_\_\_\_\_

\_\_\_\_\_  
Donna Leippe

Date \_\_\_\_\_

\_\_\_\_\_  
Michelle Mandrekar

Date \_\_\_\_\_

\_\_\_\_\_  
Daniel Kephart

PRO-105.0  
(6868/75530)

Date \_\_\_\_\_

\_\_\_\_\_  
Richard B. Rhodes

Date \_\_\_\_\_

\_\_\_\_\_  
Christine A. Andrews

Date \_\_\_\_\_

\_\_\_\_\_  
James R. Hartnett

Date \_\_\_\_\_

\_\_\_\_\_  
Trent Gu

Date \_\_\_\_\_

\_\_\_\_\_  
Ryan J. Olson

Date \_\_\_\_\_

\_\_\_\_\_  
Keith Wood

STATE OF WISCONSIN     )  
                                      )  
COUNTY OF                     )

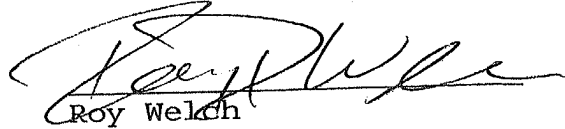
I hereby certify that John W. Shultz, Martin K. Lewis, Donna Leippe, Michelle Mandrekar, Daniel Kephart, Richard B. Rhodes, Christine A. Andrews, James R. Hartnett, Trent Gu, Ryan J. Olson, and Keith Wood, before me personally appeared and acknowledged that the foregoing assignment was duly signed, sealed and delivered by them as their free and voluntary act on this 6th day of December, 1999.

(SEAL)

\_\_\_\_\_  
Notary Public  
My Commission expires \_\_\_\_\_

IN WITNESS WHEREOF, I have hereunto set my hand and seal  
this \_\_\_\_th day of December, 1999.

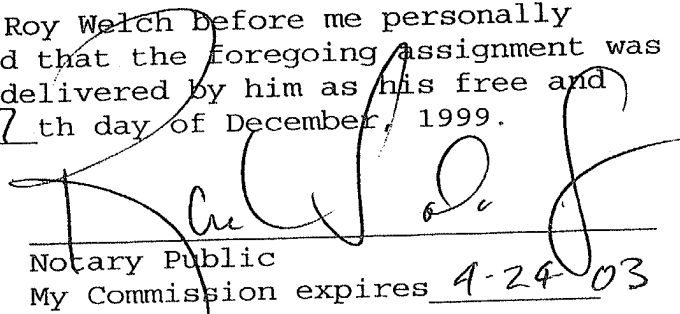
Date 12.17.99

  
Roy Welch

STATE OF CALIFORNIA     )  
                                      )  
COUNTY OF SANTA CLARA

I hereby certify that Roy Welch before me personally  
appeared and acknowledged that the foregoing assignment was  
duly signed, sealed and delivered by him as his free and  
voluntary act on this 17th day of December, 1999.

(SEAL)

  
Notary Public  
My Commission expires 4-24-03

